

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

IN RE: MICHAEL P SCARBER

Debtor

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Chapter 13  
Case No. 19-58075-MAR  
Judge: Mark A Randon

**TRUSTEE'S NOTICE OF FINAL CURE PAYMENT AND  
TRUSTEE'S NOTICE OF COMPLETION OF PLAN PAYMENTS;  
NOTICE TO CREDITORS OF OBLIGATION TO  
FILE A RESPONSE AND RIGHT TO OBJECT; AND  
NOTICE TO DEBTOR OF OBLIGATION TO FILE DEBTOR'S CERTIFICATION**

**Please read this Report carefully. It advises you of certain rights and  
deadlines imposed pursuant to the United States Bankruptcy Code,  
Federal Rules of Procedure, and Local Bankruptcy Rules of  
the United States Bankruptcy Court for the Eastern District of Michigan.  
Your rights may be adversely affected.**

Krispen S. Carroll, Standing Chapter 13 Trustee, pursuant to F.R.Bankr.P. 3002.1(f) and E.D.

Mich. LBR 2015-3(a)(1), reports to the Court that the above-named debtor has made all  
payments to the Chapter 13 Trustee as required by the confirmed Chapter 13 Plan. Debtor  
may be entitled to a discharge.

This notice is provided pursuant to F.R.Bankr.P. 3002.1(f), to claimants whose claims are  
secured by a security interest in the debtor principal residence and whose claims are provided  
for under 11 U.S.C. 1322(b)(5).

**IF YOUR CLAIM WAS PAID BY THE TRUSTEE, THE DEBTOR HAS PAID IN FULL  
THE AMOUNT REQUIRED TO CURE ANY DEFAULT ON YOUR CLAIM.**

**IF YOUR CLAIM WAS PAID DIRECTLY BY THE DEBTOR OR THE AUTOMATIC STAY WAS LIFTED DURING THE TERM OF THE DEBTOR CHAPTER 13 PLAN, THE TRUSTEE DOES NOT HAVE ANY INFORMATION REGARDING WHETHER THIS OBLIGATION IS CURRENT.**

***PURSUANT TO F.R.BANKR.P. 3002.1(g), YOU ARE REQUIRED TO FILE AND SERVE A RESPONSE ON THE DEBTOR, DEBTOR'S COUNSEL AND THE TRUSTEE, NO LATER THAN 21 DAYS AFTER SERVICE OF THIS NOTICE. F.R.BANKR.P. 3002.1(g) SETS FORTH THE SPECIFICS GOVERNING THE REQUIRED RESPONSE.***

In addition to the requirements of F.R.Bankr.P. 3002.1(g), pursuant to E.D. Mich. LBR 2015-3(a)(2), if the Court determines that the Debtor is eligible for a Discharge, the Order of Discharge will include findings that:

- A. All allowed claims have been paid in accordance with the plan; and
- B. With respect to any secured claim that continues beyond the term of the plan, any pre-petition or post-petition defaults have been cured.

Pursuant to E.D. Mich. LBR 2015-3(a)(3), if the Court determines that the Debtor is eligible for a Discharge, the Order of Discharge will direct that:

- A. Any creditor who held a secured claim that was fully paid must execute and deliver to the debtor a release, termination statement, discharge of mortgage or other appropriate certifiable document suitable for recording; and
- B. Any creditor who holds a secured claim that continues beyond the term of the plan must take no action inconsistent with the findings set forth in the Order of Discharge.

## **RIGHTS AND DUTIES OF DEBTOR**

**Duty of Debtor regarding secured debt obligations:** The Debtor, regardless of whether or not the Debtor is or claims to be entitled to a discharge must:

1. Immediately begin making the required payments on secured debt obligations to avoid defaulting on those secured debt obligations; and
2. Continue to make required payments on secured debt obligations until those obligations are paid in full. If the Court determines that the Debtor is eligible for a Discharge, the Chapter 13 Discharge will not discharge the Debtor from any obligation on any continuing secured debt payments that come due after the last contractually due payment to which the trustee's last disbursement is applied.

See E.D. Mich. LBR 2015-3(a)(6)&(7)

### **If the Debtor claims to be eligible for a discharge pursuant 11 U.S.C. Section 1328:**

1. Within 28 days of the date of this Chapter 13 Trustee's Report, the Debtor must file with the Court the Chapter 13 Debtor's Certification Regarding Domestic Support Obligations. The form and instructions on how to complete this form may be found on the Bankruptcy Court's web site, [www.mieb.uscourts.gov](http://www.mieb.uscourts.gov).
2. If this is a Joint Case, each Debtor must separately complete and file a Chapter 13 Debtor's Certification Regarding Domestic Support Obligations.
3. If the Debtor fails to complete and file a Debtor's Certification Regarding Domestic Support Obligations within 28 days of the date of this Chapter 13 Trustee's Report, the Debtor's case may be closed by the Court without the entry of a discharge.

## **RIGHTS AND DUTIES OF CREDITORS**

Pursuant to E.D. Mich. LBR 2015-3(a)(4), any party in interest that asserts that:

1. The Debtor has failed to make all payments to the Chapter 13 Trustee as required by the confirmed Chapter 13 plan; or
2. The Debtor is not current with any payments that the Debtor was authorized to make directly to a creditor; or
3. One or more allowed claims have not been paid in accordance with the plan; or
4. With respect to any secured claim that continues beyond the term of the plan, there remains pre-petition or post-petition defaults that have not been cured or that the claim is otherwise not current in all respects including, but not limited to, any unpaid escrow balance, late charge, cost or attorney fee; or
5. A creditor has a lawful reason to refuse to execute or deliver a release, termination statement, discharge of mortgage or other appropriate certificate suitable for recording; or
6. There exists reasonable cause to believe that:
  - (a). 11 U.S.C. Section 522(q)(1) may be applicable to the Debtor; or
  - (b). There is pending any proceeding in which the debtor may be found guilty of a felony of the kind specified in 11 U.S.C. Section 522(q)(1)(A) or found liable for a debt of the kind described in 11 U.S.C. Section 522(q)(1)(B)

shall file an objection to this Report. Any objection must be filed not later than 21 days after service of this Trustee's Report. If a timely objection is filed, the Court will delay entry of the order of discharge until the Court resolves the objection and a hearing will be scheduled with notice to the objecting party.

If no objection to this Trustee's Report is timely filed, pursuant to E.D. Mich. LBR 2015-3(a)(5), it shall be conclusively determined that:

1. Debtor has made all payments to the Chapter 13 Trustee as required by the confirmed Chapter 13 plan; and
2. Debtor is current in all payments Debtor was authorized to make directly to a creditor; and
3. All allowed claims have been paid in accordance with the plan; and
4. With respect to any secured claim that continues beyond the term of the plan, all pre-petition and post-petition defaults have been cured and the claim is current in all respects including, but not limited to, all escrow balances, late charges, costs or attorney fees; and
5. A creditor has no lawful reason to refuse to execute or deliver a release, termination statement, discharge of mortgage or other appropriate certifiable document suitable for recording; and
6. There exists no reasonable cause to believe that:

- (a). 11 U.S.C. Section 522(q)(1) may be applicable to the Debtor; or
- (b). There is pending any proceeding in which the debtor may be found guilty of a felony of the kind specified in 11 U.S.C. Section 522(q)(1)(A) or found liable for a debt of the kind described in 11 U.S.C. Section 522(q)(1)(B)

7. The Court may enter an order of discharge containing the terms set forth above without further notice or hearing.

OFFICE OF THE CHAPTER 13 STANDING TRUSTEE-DETROIT  
Krispen S. Carroll, Chapter 13 Standing Trustee

Dated: 11/1/21

/S/ Krispen S. Carroll

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KRISPEN S. CARROLL (P49817)  
CHAPTER 13 STANDING TRUSTEE  
719 Griswold Street, Suite 1100  
Detroit, MI 48226  
(313) 962-5035  
notice@det13ksc.com

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

IN RE: MICHAEL P SCARBER

Debtor

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Chapter 13

Case No. 19-58075-MAR

Judge: Mark A Randon

**PROOF OF SERVICE OF CHAPTER 13 TRUSTEE'S  
NOTICE OF FINAL CURE PAYMENT AND NOTICE OF COMPLETION OF PLAN PAYMENTS**

I hereby certify that on 11/1/21 I electronically filed the CHAPTER 13 TRUSTEE'S NOTICE OF FINAL CURE PAYMENT AND NOTICE OF COMPLETION OF PLAN PAYMENTS with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

The following parties were served electronically:

MAXWELL DUNN PLC  
24725 W 12 MILE RD  
SUITE 306  
SOUTHFIELD, MI 48034

The following parties were served via First Class Mail at the addresses below by depositing same in a United States Postal Box with the lawful amount of postage affixed thereto:

MICHAEL P SCARBER  
21725 STRATFORD COURT  
OAK PARK, MI 48237

AMERIFINANCIAL SOLUTIONS  
P O BOX 65018  
BALTIMORE, MD 21264

CAPITAL ONE BANK USA NA  
% AMERICAN INFOSOURCE LP  
P O BOX 71083  
CHARLOTTE, NC 28272

DATASEARCH  
85 NE LOOP 410  
SUITE 575  
SAN ANTONIO, TX 78217

DATASEARCH INC  
1802 NE LOOP 410  
STE 400  
SAN ANTONIO, TX 78217

DTE ENERGY  
ONE ENERGY PLAZA  
WCB735  
DETROIT, MI 48226

FRANKLIN CREDIT MANAGEMENT  
CORP  
P O BOX 829629  
PHILADELPHIA, PA 19182-9629

MERCURY CARD  
1415 WARM SPRING RD  
COLUMBUS, GA 31904

MR COOPER  
350 HIGHLAND DR  
LEWISVILLE, TX 75067

REGIONAL ACCEPTANCE CORP  
1424 E FIRE TOWER ROAD  
GREENVILLE, NC 27585

SOTTILE & BARILE PLLC  
394 WARDS CORNER RD STE 180  
LOVELAND, OH 45140

SYNCHRONY BANK  
% PRA RECEIVABLES MANAGEMENT  
LLC  
P O BOX 41031  
NORFOLK, VA 23541

TNB TARGET  
P O BOX 673 MAILSTOP 6CA  
MINNEAPOLIS, MN 55416

U S ATTORNEYS OFFICE  
211 W FORT ST #2300  
DETROIT, MI 48226-3211

INTERNAL REVENUE SERVICE  
P O BOX 7317  
PHILADELPHIA, PA 19101-7317

MERCURY CARD SERVICES  
P O BOX 84064  
COLUMBUS, GA 31908

NATIONSTAR MORTGAGE  
dba MR COOPER  
P O BOX 619094  
DALLAS, TX 75261

REGIONAL ACCEPTANCE  
CORPORATION  
BANKRUPTCY  
SECTION/100-50-01-51  
P O BOX 1847  
WILSON, NC 27894-1847

STATE OF MICHIGAN CD  
MICHIGAN DEPT OF TREASURY/AG  
P O BOX 30456  
LANSING, MI 48909-7955

TARGET  
P O BOX 9475  
MINNEAPOLIS, MN 55440

TROTT LAW PC  
31440 NORTHWESTERN HWY #200  
FARMINGTON HILLS, MI  
48334-2525



/s/ Shannon Horton

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Shannon Horton

Office of the Chapter 13 Standing Trustee - KRISPEN S. CARROLL

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(313) 962-5035

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